

# Archdiocese of San Antonio Norms Governing Criminal Background Checks

As part of the Archdiocese of San Antonio's pledge to protect children and create a safe environment, a program of **Criminal Background Checks ("CBC")** began in September 2003. All parishes and agencies are subject to these Norms as stated below.

## **Screening Eligibility**

- 1.1** All clergy, religious, seminarians, and employees must be screened regardless of the type of work they perform. Volunteers of the Archdiocese of San Antonio who directly minister, work or volunteer with minors and/or vulnerable persons ("Designated Volunteers") must also be screened.
- 1.2** Any person who does not submit to a required CBC will not be permitted to minister, work, or volunteer.
- 1.3** Employees of contracted/non-archdiocesan entities who have regular, direct contact with minors and/or vulnerable persons in the course of rendering services to the Archdiocese must be screened by their respective employer.
- 1.4** Contracted/non-archdiocesan entities must provide verification of CBCs prior to the time a contract is initiated or renewed.

## **Screening Timeframe**

- 2.1** All clergy, religious, seminarians, employees, and Designated Volunteers must be screened when they present themselves to minister, work, or volunteer.
- 2.2** All existing clergy, religious, seminarians, employees, and Designated Volunteers will be screened every three years based on the date of their first screening.

## **Process for Criminal Background Checks**

- 3.1** An outside CBC screening service will be used to process checks through databases and/or documents from law enforcement, criminal or civil justice, or public service agencies. Coordinators for each location will receive clearance information for each person through a web-based system and results from records will be sent to the Human Resources Office for further review and determination. In some cases, the Criminal Background Review Committee will decide if a person is allowed to be employed and/or volunteer.

**3.2** Dishonest answers and/or failure to disclose information by an applicant will result in automatic denial of employee or volunteer status.

**3.3** Any information gained through the CBC process can be used to determine if the individual is eligible for the position for which he/she applied or for service as a volunteer in a particular ministry including without limitation, reports of conviction, arrest, indictment, charge, probation, deferred adjudication, and pre-trial diversion. Results will be kept confidential to the extent required by law.

**Timeframe for employment and volunteer services.**

**4.1** Parishes and Agencies must receive clearance before an employee or Designated Volunteer may begin employment or volunteer services.

**Actions taken as a result of criminal background records.**

**5.1** Any person who has been involved in a sexual misconduct crime will be immediately notified by the Human Resources Office that he/she shall not minister, work or volunteer within the Archdiocese of San Antonio. An employee will be terminated, a volunteer will be dismissed, or an applicant will not be hired.

**5.2** The criminal record of an individual involved in any other type of crime will be evaluated by the Committee.

**5.3** The Committee shall make a determination on each individual case based on the results of the CBCs.

**5.4** In certain circumstances, an individual may be given the opportunity to appear before a panel of Committee members for an Informational Hearing in order to provide additional information.

**5.5** Limitations (i.e., no driving or transporting, no handling of money, etc.) may be placed on ministry, employment or volunteerism.

**5.6** Any person dissatisfied with the decision of the Informational Hearing Panel may file a written request for an Administrative Review. The Committee reserves the right to determine whether an Administrative Review Hearing will be held.

**Role of Criminal Background Review Committee**

**6.1** The Committee shall be appointed by the Archbishop.

**6.2** The Committee will serve for the purpose of reviewing CBCs

- \* to decide clearance status, limitations and/or make individual recommendations;
- \* to conduct Informational Hearings; and/or

\* to conduct Administrative Review Hearings.

**6.3** The Committee shall maintain updated policies and procedures appropriate to the Archdiocese of San Antonio and in conjunction with revisions of the U.S.C.C.B. policies and procedures.

### **File Maintenance**

**7.1** Criminal Background Search Authorization forms will be maintained by the respective location and all data will be entered and maintained on a web-based system. Records of all CBCs will be maintained on a web-based system and by the Human Resources Office. Outcomes of all CBCs may be provided to the individual, supervisor, pastor, agency director, or those on a need-to-know basis.